FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2679 OF 2005
WITH
CRIMINAL APPEAL NO.2678 OF 2005

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.A.S.Shitole, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 15/2/2006.

P.C.

1. Heard A.P.P. None present for the respondent. For the reasons mentioned in the application and which are accepted, delay of 71 days in filing the appeal is condoned. Application is disposed off.

Cri. Appeal No.2678 of 2005

1. This is an appeal filed by the State against the judgment and order passed by the Special Judge, Pune acquitting the accused of the offence under Section 7, 13(1)(d) read with 13(2) of the Prevention of Corruption

Act,1988. On perusal of the impugned judgment and order, it appears that that the same has been passed on cogent and acceptable reasons. It was the case of the prosecution that the accused demanded bribe of Rs.200/- from the complainant for repairing his electric meter. In the course of the evidence Chief Engineer of M.S.E.B. admitted that the work of repairing meter was not done by M.S.E.B. He stated that he did not know if such work was allotted to meter mechanic and whether in the year 1995.96 post of meter mechanic was abolished. Apart from this, panch witness admitted that the meter was handed over before the demand was made at the time of the trap. As regards the finding of anthracene powder on the hands of the accused, this fact is not deposed to by the panch witness. The view taken by the trial court is possible view. Hence, leave refused and consequently the appeal dismissed.

(R. S. MOHITE, J.)